

**MINUTES**  
*FORT BEND SUBSIDENCE DISTRICT*  
REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
*NOVEMBER 25, 2015*  
3:00 P.M.

**MEMBERS OF THE BOARD PRESENT:** Clifton Aldrich, Mark Gehringer, Bobby Kunz, Marvin Marcell, Jon Strange, Lisa Stasney, William Wallace, B. T. Williams, and Benny Wleczyk.

**MEMBERS OF THE BOARD ABSENT:** Karl Baumgartner, James Clark, Bob DeForest, Morris Mitchell, Lawrence Vaccaro and Greg Wine.

**STAFF PRESENT:** Mike Turco, Robert Thompson, Kevin Ebrom, Greg Ellis, and Wanda Sebesta.

**PRESIDING:** Chairman, Marvin Marcell.

Chairman Marcell called the meeting to order in the first floor meeting room of the Wm. B. Travis Building, in Richmond, Texas, and announced the presence of a quorum.

**RESOLUTION AUTHORIZING CONTRACTING FOR AUDIT SERVICES**

2. Chairman Marcell introduced the resolution authorizing contracting for audit services.

CAPTION

RESOLUTION AUTHORIZING CONTRACTING FOR AUDIT SERVICES

(This resolution is of record in Resolution Book V of the Fort Bend Subsidence District being Resolution 15-367.)

- 2.1 Mr. Aldrich moved to approve Resolution 15-367 contracting for audit services; it was seconded by Mr. Gehringer. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

**RECEIVE HEARING EXAMINER'S REPORT AND CONSIDER GRANTING, DENYING OR AMENDING APPLICATIONS FOR WATER WELL PERMITS HEARD AT THE NOVEMBER 3, 2015 HEARING.**

3. Robert Thompson presented the Hearing Examiner's Report from the November 3, 2015, Hearing (Exhibit #1).

3.1 Mr. Wallace now present.

3.2 Mr. Williams moved to approve the Hearing Examiner's Report from the November 3, 2015, Hearing; it was seconded by Mr. Gehringer. Chairman Marcell put the question, and after the vote, announced the motion carried unanimously.

#### **APPROVAL OF THE MINUTES**

4. Mr. Strange moved that the minutes of the regular meeting, October 28, 2015, be approved with the changes reflected in the copy of the minutes distributed to the Board at the meeting; it was seconded by Mr. Wleczyk. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

#### **GENERAL MANAGER'S REPORT**

5. Mr. Turco updated the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.

#### **MEMBERS OF THE PUBLIC**

6. John Maresh, with the City of Rosenberg, was present.

#### **CONSULTATION WITH THE GENERAL COUNSEL ON RECENT LITIGATION ON GROUNDWATER ISSUES**

7. Greg Ellis updated the Board on recent litigation on groundwater issues.

#### **EXECUTIVE SESSION**

8. The Board of Directors went into Executive Session at 3:38 p.m. as authorized under the Open Meetings Act, Section 551.071, Government Code, to discuss Item I of the Agenda.


8.1 Following the Executive Session, the Board then resumed the open meeting at 4:08 p.m.

## COMPROMISE AND SETTLEMENT AGREEMENTS

9. Kevin Ebram reviewed the circumstances regarding the violation for Vulcan Construction Materials, LLC.

9.1 Mr. Wleczyk moved to make the standard offer and authorize the General Manager to offer a Compromise and Settlement Agreement on behalf of the Board, to Vulcan Construction Materials, LLC; it was seconded by Mr. Strange. Chairman Marcell put the question and, after the vote announced the motion carried unanimously.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED.**

BY:   
Chairman

ATTEST:  
  
Secretary